

30-3-16.7 Effect of petition -- Pendency of action.

- (1) The filing of a petition for conciliation under this act shall, for a period of 60 days thereafter, act as a bar to the filing by either spouse of an action for divorce, annulment of marriage or separate maintenance unless the court otherwise orders.
- (2) The pendency of an action for divorce, annulment of marriage or separate maintenance does not prevent either party to the action from filing a petition for conciliation under this act, either on the party's own or at the request and direction of the court as authorized by Section 30-3-17.
- (3) The filing of a petition for conciliation shall stay for a period of 60 days, unless the court otherwise orders, any trial or default hearing upon the complaint.
- (4) Notwithstanding any other provision of this section, when the judge of the family court division is advised in writing by a marriage counselor to whom a petition for conciliation has been referred that a reconciliation of the parties cannot be effected, the bar to filing an action or the stay of trial or default hearing shall be removed.

Amended by Chapter 297, 2011 General Session